

FEB 16 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of) Examiner: Brian S. Szmal
 Burbank et al.)
 For: ELECTROSURGICAL BIOPSY) Group Art Unit: 3736
 DEVICE AND METHOD)
 Serial No.: 10/650,027)
 Filed: August 27, 2003)
 Atty. Docket No.: R0367-00302)

**REQUEST FOR CONTINUED
 EXAMINATION UNDER
 37 CFR §1.114**

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8
 I hereby certify that this these papers are being sent by facsimile to (571) 273-8300, addressed to at Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Brian S. Szmal on 2/16/2007 in San Francisco, CA.
 By: Brian S. Szmal

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. **Submission required under 37 C.F.R. § 1.114**

- a. / Previously submitted
 - i. / Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
 - ii. / Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. / Other: _____.
- b. / Enclosed
 - i. / Amendment/Reply
 - ii. / Affidavit(s)/Declaration(s)
 - iii. / Information Disclosure Statement (IDS)
 - iv. / Other: _____.

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2. Filing Fees

Description	Fee Code	Claims	Extra	Rate	Fee
RCE Fee	2801				\$395.
Independent Claims	2201	6 - 6 =	0 x	\$100.=	-0-
Total Claims	2202	33 - 34 =	0 x	\$25.=	-0-

Total Filing Fees Due.....\$395.

3. Payment of Fees

/ X / The Commissioner is hereby authorized to charge the fees due and to credit any overpayment of fees which may be required under 37 CFR §1.16 and §1.17, to Deposit Account No. 04-1679, referencing Atty. Docket No. R0367-00302. A duplicate copy of this paper is enclosed for this purpose.

4. Address all future communications to:

Edward J. Lynch
DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
San Francisco, CA 94105

6. Other documents enclosed herewith:

/ X / Form PTO-1449.

Respectfully submitted,

By:

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Ste. 2000
San Francisco, CA 94105
Telephone: (415) 957-3000
Facsimile: (415) 957-3001
Direct Dial: (415) 957-3067